

179 FERC ¶ 61,094  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

May 5, 2022

In Reply Refer To:  
Western Area Power Administration  
Docket No. NJ22-9-000

Western Area Power Administration  
12155 W. Alameda Parkway  
P.O. Box 281213  
Lakewood, CO 80228-8213

Attention: Ronald J. Klinefelter

Dear Mr. Klinefelter:

1. On March 2, 2022, Western Area Power Administration (WAPA) submitted revisions to its non-jurisdictional Open Access Transmission Tariff (OATT) in response to the Commission's January 28, 2022 order<sup>1</sup> on WAPA's petition for declaratory order regarding the implementation of the requirements of Order No. 845<sup>2</sup> in WAPA's OATT.<sup>3</sup> As discussed below, we find that WAPA's proposed revisions regarding surplus interconnection service substantially conform with or are superior to the Commission's *pro forma* OATT.

2. Order Nos. 845 and 845-A amended the Commission's *pro forma* Large Generator Interconnection Agreement (LGIA) and *pro forma* Large Generator Interconnection Procedures (LGIP) to improve certainty for interconnection customers, promote more informed interconnection decisions, and enhance the interconnection process. Order

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<sup>1</sup> *W. Area Power Admin.*, 178 FERC ¶ 61,066 (2022) (January 2022 Order).

<sup>2</sup> *Reform of Generator Interconnection Procedures and Agreements*, Order No. 845, 163 FERC ¶ 61,043, at P 6 (2018), *order on reh'g*, Order No. 845-A, 166 FERC ¶ 61,137, *order on reh'g*, Order No. 845-B, 168 FERC ¶ 61,092 (2019).

<sup>3</sup> WAPA, Petition for Declaratory Order, Docket No. NJ21-13-000 (filed Sept. 17, 2021).

No. 845 requires transmission providers to create a process for interconnection customers to use surplus interconnection service at existing points of interconnection.

3. In the January 2022 Order, the Commission found that WAPA's proposed provisions regarding surplus interconnection service in LGIP sections 3.3.5.2 and 3.3.6.6 did not substantially conform with or were not superior to the Commission's *pro forma* OATT.<sup>4</sup> Specifically, the Commission found that WAPA's proposal to limit the *total combined Generating Facility Capacity* in LGIP sections 3.3.5.2 and 3.3.6.6 imposed a limit that is inconsistent with Order No. 845<sup>5</sup> and could reduce opportunities for surplus interconnection service. Accordingly, the Commission stated that, in order to substantially conform with or be superior to the *pro forma* OATT, the proposed revisions to sections 3.3.5.2 and 3.3.6.6 must be modified to limit total combined output instead of total combined generating facility capacity.<sup>6</sup>

4. In the instant filing, WAPA states that it proposes to modify LGIP sections 3.3.5.2 and 3.3.6.6 as identified in the January 2022 Order so that the total combined generating facility *output* at the point of interconnection is limited to the amount of interconnection service in the existing interconnection customer's LGIA.<sup>7</sup> WAPA notes that including the term Generating Facility Capacity in LGIP sections 3.3.5.2 and 3.3.6.6 was inadvertent. WAPA requests that the modifications become effective December 15, 2021, consistent with the January 2022 Order.<sup>8</sup>

5. Notice of WAPA's filing was published in the *Federal Register*, 87 Fed. Reg. 15,229 (Mar. 17, 2022), with interventions and protests due on or before April 1, 2022. None was filed.

6. We find that WAPA's proposed revisions to LGIP sections 3.3.5.2 and 3.3.6.6 substantially conform with or are superior to the Commission's *pro forma* OATT.<sup>9</sup> WAPA proposes to revise LGIP section 3.3.6.6 to state that "[i]f the use of Surplus Interconnection Service increases the total Generating Facility output at a Point of

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<sup>4</sup> January 2022 Order, 178 FERC ¶ 61,066 at P 66.

<sup>5</sup> Order No. 845, 163 FERC ¶ 61,043 at P 475.

<sup>6</sup> January 2022 Order, 178 FERC ¶ 61,066 at P 66.

<sup>7</sup> WAPA Transmittal at 2.

<sup>8</sup> *Id.*

<sup>9</sup> WAPA, OATT, attach. L (Standard LGIP), § 3.3 (Utilization of Surplus Interconnection Service) (1.0.0).

Interconnection, the total combined Generating Facility output at that Point of Interconnection for both the Existing Customer and the Surplus Interconnection Service Customer is limited to and shall not exceed the maximum Interconnection Service Level allowed under the Existing Customer's LGIA." WAPA similarly proposes to revise LGIP section 3.3.5.2 to reference "the limitation on total combined Generating Facility output at the Point of Interconnection." As revised, WAPA's LGIP sections 3.3.5.2 and 3.3.6.6 substantially conform with or are superior to the requirements of Order No. 845 because they limit the combined output, rather than the combined capacity, of the interconnection customers to the interconnection service level allowed under the existing interconnection customer's LGIA.

7. We therefore find that, effective as of the date of this order, WAPA's proposed revisions regarding surplus interconnection service substantially conform with or are superior to the Commission's *pro forma* OATT. However, we continue to find that WAPA's OATT as revised is not yet an acceptable reciprocity tariff because WAPA has not submitted revisions to its OATT to incorporate changes associated with Order No. 1000.<sup>10</sup>

By direction of the Commission.

Kimberly D. Bose,  
Secretary.

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<sup>10</sup> *Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities*, Order No. 1000, 136 FERC ¶ 61,051 (2011), *order on reh'g*, Order No. 1000-A, 139 FERC ¶ 61,132, *order on reh'g and clarification*, Order No. 1000-B, 141 FERC ¶ 61,044 (2012), *aff'd sub nom. S.C. Pub. Serv. Auth. v. FERC*, 762 F.3d 41 (D.C. Cir. 2014).

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